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10/732,971	12/11/2003	Randall W. Sencaj	DP-309792	8573

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/732,971
Filing Date: December 11, 2003
Appellant(s): SENCAJ ET AL.

Douglas D. Fekete
For Appellant

EXAMINER'S ANSWER

The previous examiner's answer is vacated and replaced with this examiner's answer, which merely corrects informal of the previous answer.

This is in response to the appeal brief filed on January 22, 2007 appealing from the Office action mailed on February 21, 2006.

(1) Real Party In Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any other related appeals, interference, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Boards' decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Ground of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be viewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon by the examiner as to the ground of rejection:

US 6397145B1 Millington May 28, 2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 14-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Millington (U.S. 6397145B1).

With respect to claim 14, the U.S Patent No. '145B1 to Millington has been cited as teaching a typical navigation system and method for guiding driver from one position to a destination via the maneuver instruction, in which a position of the vehicle is determined by the GPS receiver (Millington, Figure 1, GPS receiver 38; column 3, lines 47-65), a route segment on which the vehicle is located as a function of the position of the vehicle (Millington, Figure 2, vehicle 52, recommended route 61), said route segment is identified using the graphic user interface as shown in figure 2 of Millington. As illustrated in column 4, lines 2-25, Millington teaches that one user can uses the input device (28) for entering a specific destination relative to the database (36) of roads, and the navigation system (20) then displays a recommended route as well as turn-by-turn instructions to the user. Millington further a data storage device (34), which is shown in figure 1, contains a database (36) including a map of all the roads in the area to be traveled by the vehicle (Millington, column 3, lines 33-46). The GPS receiver and the storage device as discussed above coupled to a processor (32). Millington further discloses "a second GUI screen that comprises a previous segment". For example, figure 4 shows the first GUI screen includes the sequence (or segments) A and B, then when the second GUI screen displayed in figure 5, the segment B starts before the segment C.

With regard to claim 15, Millington teaches that the user is provided a turn-by-turn instructions and the display of a different one of the route segments (Millington, column 4, lines 12-65).

With regard to claim 16, the graphic display as represented by Millington comprises a display area having a top edge and the vehicle icon (52) (Millington, figure 2, display 24, vehicle icon 52) rendered within the display (24).

With regard to claim 17, the graphic display as disclosed by Millington shows that the vehicle icon (52) is at center of the display area (the graphic display as represented by Millington.

With regard to claim 18, Millington teaches the following: "the map display view 50 can also display a movable vehicle icon 52 relative to a constant heading display 24 (such as North up), based upon user preference" (Millington, column 4, lines 12-25).

With regard to claim 19, Millington discloses that the user can uses the input device (28) for entering a specific destination relative to the database (36) of roads, and the navigation system (20) then displays a recommended route as well as turn-by-turn instructions to the user.

With regard to claim 20, Millington discloses that the user can uses the input device (28) for entering a specific destination relative to the database (36) of roads.

With respect to claim 21, the U.S Patent No. '145B1 to Millington has been cited as teaching a typical navigation system and method for guiding driver from one position to a destination via the maneuver instruction, in which a position of the vehicle is determined by the GPS receiver (Millington, Figure 1, GPS receiver 38; column 3, lines

47-65), a route segment on which the vehicle is located as a function of the position of the vehicle (Millington, Figure 2, vehicle 52, recommended route 61), said route segment is identified using the graphic user interface as shown in figure 2 of Millington. As illustrated in column 4, lines 2-25, Millington teaches that one user can uses the input device (28) for entering a specific destination relative to the database (36) of roads, and the navigation system (20) then displays a recommended route as well as turn-by-turn instructions to the user. Millington further a data storage device (34), which is shown in figure 1, contains a database (36) including a map of all the roads in the area to be traveled by the vehicle (Millington, column 3, lines 33-46). The GPS receiver and the storage device as discussed above coupled to a processor (32). It is clearly to see Millington disclose a plurality of route segments via the display screen of figure 4 then via the display screen of figure 5. Millington further disclose "display a second GUI screen in response to the user input, said second GUI screen comprising one of a previous route segment and a subsequent route segment that does not include the location of the vehicle". Millington shows the second display screen (figure 5) showing a previous segment B that has been seen in the previous GUI screen (see figure 4) and also another route segment (54') that does not include the location of the vehicle.

With regard to claim 22, Millington teaches that the user is provided a turn-by-turn instructions and the display of a different one of the route segments (Millington, column 4, lines 12-65).

With regard to claim 23, the graphic display as represented by Millington comprises a display area having a top edge and the vehicle icon (52) (Millington, figure 2, display 24, vehicle icon 52) rendered within the display (24).

With regard to claim 24, the graphic display as disclosed by Millington shows that the vehicle icon (52) is at center of the display area (the graphic display as represented by Millington.

With regard to claim 25, Millington teaches the following: "the map display view 50 can also display a movable vehicle icon 52 relative to a constant heading display 24 (such as North up), based upon user preference" (Millington, column 4, lines 12-25). With regard to claim 26, Millington discloses that the user can uses the input device (28) for entering a specific destination relative to the database (36) of roads.

With regard to claim 26, Millington further teaches: "the input device comprises at least one of keypad, a knob, and an audio input device" (see Millington, figure 2 shows at least on input device).

(10) Response to Argument

The appellant argues, at page 7, by asserting that "Millington does not anticipate, or even suggest, Applicant's invention", and further discussed that in Millington is not configured to receive user input and render a second GUI screen that does not include the identified route segment on which the vehicle is located. It is not persuasive since as set forth in column 2, lines 3-5, Millington teaches that the user selects a destination from a database using a user input device. The navigation system (20) with the computer module (30) (Millington, figure 1) calculates and displays a recommend route

with turn-by-turn instructions on the display (24), guiding the driver of the vehicle (21) to the desired destination. The screen displays 68 and 68 shown in Figures 4 and 5 displaying complex maneuver instructions to the driver. In figure 4, screen 68 comprises the identified route segment A, and the route segment B. In figure 5, the screen 68' is provided to comprise the previous route segment B or a subsequent route segment that does not include the identified route segment A. Millington clearly does anticipate the applicants' invention in claim 14.

The appellant further argues, at page 8, that claim 20 calls for an input device that is a keypad, a knob or an audio input device. According to the appellant, Millington reference does not have a key or knob that the user can operate to override the CPU and change the display. It is noted that claim 20 recites: "the input device comprises at least one of keypad, a knob, and an audio input device. Millington discloses that the user can uses the input device (28) as keypad for entering a specific destination relative to the database (36) of roads (see figure 1, keypad 28). Thus, Millington also reads on the limitation of claim 20.

Claim 21, which is similar to claim 14, includes the limitation of processor-based subsystem configured to display a second GUI screen that does not include the location of the vehicle. Millington teaches that the screen 68' comprises route segments B and C, and does not comprises the location of the vehicle. Thus, Millingon teaches the limitation of claim 21.

For the above reasons, it is believed that the rejections should be sustained.

(11) Related Proceedings Appendix

The related proceedings appendix is missing from the brief. It is assumed that the appellant's meant to include the appendix with a statement of "None."

Conferees:

Cuong Nguyen

Meredith Petravick

Tuan To /TC

A correct copy of form 1449 dated 04/25/2005 is included herein.

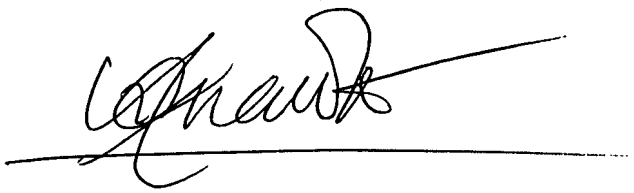
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,



Tuan C To

August 28, 2007